

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANDREW ARRAND,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

2:16-CV-01293-RFB-VCF

ORDER

[Ex-Parte Request for Extension of Time ECF
No. 5]

Before the court is Plaintiff's Request for Extension of Time. (ECF No. 5). Plaintiff filed a Complaint against the Commissioner of Social Security to appeal the denial of his benefits request. (ECF No. 1). Plaintiff seeks to extend the time to effectuate service under Federal Rule of Civil Procedure 4(m). *Id.*

Fed. R. Civ. P. 4(m) requires a defendant to be served within 90 days after the complaint is filed. If "the plaintiff shows good cause for the failure [to serve a defendant within that time-frame], the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

Plaintiff must effectuate service on the Commissioner of Social Security by September 8, 2016. Fed. R. Civ. P. 4(m). Plaintiff states that a miscommunication occurred between the parties which resulted in a Summons not being issued and the Summons and Complaint not being sent to the process server for execution. (ECF No. 5 at 3).

Plaintiff asserts that an additional 30 days is required to effect service and asks this court to extend the 4(m) deadline. *Id.*


Given that Plaintiff has demonstrated "good cause" for its failure to effectuate service and has provided support for its request for an extension, the court will extend the 4(m) deadline until December 1, 2016. *See* Fed. R. Civ. P. 4(m).

Accordingly, and for good cause shown,

1 IT IS HEREBY ORDERED that Plaintiff's Motion to Extend time (ECF No. 5) is GRANTED.

2 IT IS FURTHER ORDERED that the deadline to effect service of process is extended up to and
3 including December 1, 2016.

4 DATED this 17th day of October, 2016.

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8 CAM FERENBACH
9 UNITED STATES MAGISTRATE JUDGE
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